



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

RICHFIELD FIELD OFFICE

150 East 900 North
Richfield, UT 84701
<http://www.ut.blm.gov>



5/041/025

IN REPLY REFER TO:

3809
(UT-050)
UTU-71573

August 4, 2003

CERTIFIED MAIL 7001 0320 0003 4257 4831
RETURN RECEIPT REQUESTED

RE: Request for Reclamation Cost Estimate, 43 CFR 3809.552(a)

Mr. Tony Aguiar
Diversified Stone Products, Inc.
P. O. Box 265
550 South Airway Drive
Fillmore, UT 84631

Dear Mr. Aguiar:

On January 17, 2002, your request to extend notice UTU-71573 was received in this office; however, your request did not include a reclamation cost estimate in accordance with 43 CFR 3809.554. On February 6, 2003, a meeting was held at the project area. The purpose of this meeting was to discuss the reclamation that will be necessary, when you complete the project, and to assist you in preparing a cost estimate for a financial guarantee. At that time, you stated that a contractor was preparing a cost estimate for your project area and that you would submit an estimate to this office in March 2003. To date, a cost estimate has not been received.

Your initial notice was received in this office on November 16, 1994, and that notice addressed a surface disturbance of less than two acres. Your current disturbance is about 1½ acres, and you have stated that you do not plan to continue mining or to disturb additional land at this time. A cost estimate for reclamation has been prepared by the Bureau of Land Management (BLM), and is enclosed for your perusal. The cost estimate is \$24,900.00 and is based on the following assumptions:

1. The quarry operations could disturb up to two acres.
2. Reclamation could involve slopes that are greater 30%, highwalls, and stockpiles of rock material.
3. An excavator is selected as the equipment to be used for re-contouring and reclaiming the site due to the grade and type of disturbances to be reclaimed.
4. Seeding would be done by manual spreading.

RECEIVED

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DIV. OF OIL, GAS & MINING

You are requested to review this estimate and to respond to this office within 30 days of receipt of this letter. You may provide: (1) any information that would modify this estimate or (2) you may submit an estimate calculated by a third-party contractor or yourself. You also have an option of filing a financial guarantee for part of your proposed operations (43 CFR 3809.553). If you do not respond within 30 days of receipt of this letter, a decision will be issued that requires you to post a financial guarantee for the entire operation as described in the original notice, and the required amount will be \$24,900.00.

In the interim, while you review this estimate and respond in a timely manner, your notice is conditionally extended. Mining-related activity may continue in accordance with your existing notice on file with this office.

In addition, you indicated that you may consider purchasing rock materials that are removed from this project area as a saleable mineral under the Materials Act of 1947, as amended, rather than as a locatable mineral under the general mining laws, if the BLM would forego any past, potential trespass damages. In order for the BLM to consider your request, you are requested to account for the quantity of material that has been removed from the site, provide a description of the material removed, and detail the use and market of that material. If necessary, to verify your assertions, we request that your records be available for inspection by the BLM.

If you have any questions, please contact Michael Jackson at (435) 896-1522.

Sincerely,


for Aden Seidlitz
Field Manager

Enclosures: Reclamation Cost Estimate, Prepared by BLM
Federal Regulations at 43 CFR 3809

cc (w/o attachments): Sharyn D. Aguiar, P. O. Box 882, Fillmore, Utah 84631

Steven L. and Patricia K. Sorenson, 235 North Main, Kanosh, Utah 84637

Lynn Kunzler, Division of Oil, Gas, and Mining, State of Utah, Box 145801, Salt Lake City, Utah 84114-5801 (S/041/025)